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FISH AND WILDLIFE DEVELOPMENT IN SMALL WATERSHED PROJECTS

Public Law 85-865, enacted by the 85th Congress, authorizes the Secretary of Agriculture to give technical and financial assistance in installing fish and wildlife measures when such measures are included in small watershed projects developed under authority of Public Law 566, the Watershed Protection and Flood Prevention Act. Public Law 566 is administered by the Department of Agriculture's Soil Conservation Service.

Fifty Percent Cost Sharing: The Department of Agriculture has determined that Federal cost sharing assistance in installing eligible fish and wildlife measures having benefits of public significance may be provided up to 50 percent of the installation costs.

Wildlife Agencies to Help: The Soil Conservation Service will invite the Fish and Wildlife Service of the Interior Department, and State fish and game agencies, to cooperate fully in assisting local organizations to develop feasible fish and wildlife measures and to include them in work plans for watershed protection and flood prevention projects.

Fish and Wildlife Measures Eligible: The following fish and wildlife measures are eligible for Federal technical and financial assistance when included by a sponsoring local organization in a watershed protection and flood prevention project work plan:

1. Storage capacity in reservoirs for fish and wildlife development. Storage capacity may be in addition to capacity provided for other purposes such as floodwater retardation, irrigation storage, or municipal water supply. A reservoir may be constructed solely for fish and wildlife development if it is an integral part of a multiple-purpose watershed project. The fish and wildlife storage capacity in any reservoir may be for (a) enhancing the fish and wildlife resource in the reservoir or (b) for releasing water to maintain stable flow and suitable temperature conditions downstream that are conducive to fish and wildlife development.
2. Modification of reservoir structures for fish and wildlife development. Features for fish and wildlife development may be incorporated in structures to be constructed as a part of the project or as modifications of existing structures. Such improvements may include modifications of structures to provide seasonal regulation of water level such as "duck windows"; construction or modification of structures to maintain stable water levels conducive to improved fish and wildlife development in natural or artificial lakes; construction of fish ladders; modification of site clearing; and installation of fish shelters.
3. Stream channel improvement for fish and wildlife development. This includes streambank stabilization by sloping, riprapping, vegetative plantings, and jetties, tree and shrub plantings adjacent to streambanks to provide shade for the water surface; channel clearing and deepening, including gravel removal; constructing sills and other facilities to create pools suitable for fish development; fencing streambank areas; and other similar and related practices approved by Federal or State fish and wildlife agencies to improve fish and wildlife habitat and environment in and along streams.

4. Marsh and pit development to provide breeding and nesting areas for migratory waterfowl and aquatic mammals including appurtenant facilities such as fencing.

Aid To Public Groups: Federal cost sharing and other assistance will be given only to qualified State agencies and local organizations, as specified by Public Law 566. Private groups desiring to add storage or other fish and wildlife facilities for their own use to structures to be built by a sponsoring local organization for other purposes, may negotiate with the sponsoring organization to pay in full the costs allocated to fish and wildlife purposes.

Public Access Required: Federal cost sharing for fish and wildlife development depends on the sponsoring local organization or a State agency obtaining title or perpetual easements on the affected nonfederal land and providing for public access or use in accordance with applicable State laws and regulations.

Ineligible Measures: Ineligible for cost sharing are measures providing benefits classified as "recreation"; measures to facilitate the use of wildlife resources, such as access roads, parking areas and boating facilities; and construction of propagation facilities, such as fish hatcheries and rearing ponds.

Status of Watershed Projects: On January 1, sponsoring local organizations of 139 small watershed projects in 42 States had been authorized to receive Department of Agriculture assistance in installing works of improvement for flood prevention, and agricultural and nonagricultural water management. These projects include 7.5 million acres.

In addition, assistance in preparing work plans had been authorized for 257 projects, and 629 applications for assistance from local organizations were pending.

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JUL 31 1967

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